

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

JAMES TYRONE EDWARDS, #244 859 *
Plaintiff, *
v. *
SGT. MOORE, *et al.*, *

Defendants. *

ORDER ON MOTION

Upon consideration of Plaintiff's Motion to Waive Partial Filing Fee which the court construes as a motion for leave to proceed without payment of the initial partial filing fee, and for good cause, it is

ORDERED that the motion (Doc. No. 11) be and is hereby GRANTED.

Plaintiff is reminded that this court must, under the provisions of 28 U.S.C. § 1915(b)(1), "assess and, when funds exist, collect" the \$350.00 filing fee from monies available to Plaintiff, when the amount in Plaintiff's account exceeds \$10.00. The court may not waive or temporarily exempt Plaintiff from compliance with the statutory provisions regarding payment of filing fees.

DONE, this 3rd day of October, 2006.

/s/ Susan Russ Walker

SUSAN RUSS WALKER

UNITED STATES MAGISTRATE JUDGE